

BY: DEPUTY CLERK

DISTRICT OF UTAH

Magistrate Judge Paul Warner

STATEMENT OF CAL ANDRUS OF CONTINUING AVAILABILITY

I, Cal Andrus, state and declare as follows:

I continue to be available for appointment as a Receiver in the instant matter.

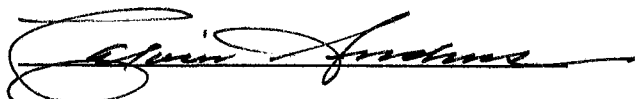
I have read the sworn affidavits filed herein, including the copy of the affidavit recently filed in the Hawaii action seeking a stay of that action. What is compelling is that there are no affidavits or other evidence filed in this action that rebuts the fact that the defendants continue to degrade the botanical garden, resulting in unsatisfactory comments from the general public. Only a quick appointment of a Receiver will remedy that deficit.

My first order of business will be to settle the federal suit, as well as the Hawaii suit, by way of separate Utah counsel. It is patently obvious that Walter Wagner is owed a considerable sum for the work he did in building the botanical garden, and that the opposition to that Hawaii case is wrong and a waste of WBGI resources. It is also patently obvious that the opposition to this federal case is wrong, and also a waste of WBGI resources. Clearly frauds were

worked on the courts to obtain judgments against Walter Wagner, and he still retains his share ownership in WBGI.

I already have Utah counsel willing to work with me on settling these actions, and setting the affairs of WBGI in order.

DATED: April 23, 2013



Cal Andrus